

THE FOLLOWING GREENWOOD COMMON COUNCIL RESOLUTION WILL BE INTRODUCED AT THE SEPTEMBER 18, 2006, MEETING, WITH FIRST READING AT THE OCTOBER 2, 2006, MEETING, AND SECOND READING AT THE OCTOBER 16, 2006, MEETING. **PLEASE NOTE THIS RESOLUTION IS SUBJECT TO AMENDMENTS BY THE COMMON COUNCIL.** IF YOU WISH TO SEE THE ADOPTED RESOLUTION PLEASE CONTACT THE CLERK-TREASURER OFFICE AT (317) 888-2100 OR VIA E-MAIL AT [CLERK@GREENWOOD.IN.GOV](mailto:CLERK@GREENWOOD.IN.GOV) FOR AN EXECUTED COPY AFTER THE SECOND READING.

**GREENWOOD COMMON COUNCIL**

**RESOLUTION NO. 06-25**

**A RESOLUTION OF THE GREENWOOD COMMON COUNCIL TO ADOPT THE WRITTEN FISCAL PLAN FOR THE ANNEXATION OF APPROXIMATELY 3.11 ACRES LOCATED AT 399 E. COUNTY LINE ROAD, Referencing Annexation Ordinance No. 06-37**

WHEREAS, the City of Greenwood has established a written policy in regard to annexation in Greenwood Common Council Resolution No. 86-2, as amended; and

WHEREAS, the Greenwood Plan Commission conducted a public hearing on the petition for voluntary annexation of a parcel of land which is contiguous to the City of Greenwood containing approximately 3.11 acres of land located at 399 E. County Line Road, more particularly described in Greenwood Common Council Ordinance No. 06-37; and

WHEREAS, this parcel is within the extended jurisdiction of the City of Greenwood and is currently zoned R-2 – Residential – Single-Family use by the Greenwood Zoning Ordinance. The petitioner is requesting rezoning to C-1 – Commercial – Neighborhood Shopping use; and

WHEREAS, in connection with Greenwood Common Council Resolution No. 86-2, as amended, a written fiscal plan has been prepared under the direction of the City's Director of Planning, Zoning, and Economic Development for said annexation; and

WHEREAS, I.C. 36-4-3-3.1 requires and responsible planning suggests the adoption of a fiscal plan and a definite policy for the provision of services to annexed areas; and

WHEREAS, such a plan has been developed and presented to the Common Council, entitled "Fiscal Plan; Annexation Study for Land Contiguous to City of Greenwood, Indiana; 399 E. County Line Rd.; Applicant: Ali Dohan; Owners: Ervin & Enid Nicley; Property Location: 399 E County Line Road; Total Acreage: 3.11 Acres; Rezoning Requested: Rezoning from R-2 to C-1 Commercial; Submitted to: Greenwood Common Council September 18, 2006, Prepared under the Direction of Clinton E. Ferguson, Director Planning, Zoning & Economic Development,"

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, THAT:

Section 1. The Greenwood Common Council adopts and approves the written fiscal plan entitled "Fiscal Plan; Annexation Study for Land Contiguous to City of Greenwood, Indiana; 399 E. County Line Rd.; Applicant: Ali Dohan; Owners: Ervin & Enid Nicley; Property Location: 399 E County Line Road; Total Acreage: 3.11 Acres; Rezoning Requested: Rezoning from R-2 to C-1 Commercial; Submitted to: Greenwood Common Council September 18, 2006, Prepared under the Direction of Clinton E. Ferguson, Director Planning, Zoning & Economic Development" which is attached hereto and made a part hereof, as the written fiscal plan of the area to be annexed, more particularly described in Greenwood Common Council Ordinance No. 06-37, and hereby approves and adopts the specific policies for implementation of the Plan as set out herein.

Section 2. The Greenwood Common Council states that two (2) copies of the written fiscal plan of the property to be annexed entitled "Fiscal Plan; Annexation Study for Land Contiguous to City of Greenwood, Indiana; 399 E. County Line Rd.; Applicant: Ali Dohan; Owners: Ervin & Enid Nicley; Property Location: 399 E County Line Road; Total Acreage: 3.11 Acres; Rezoning Requested: Rezoning from R-2 to C-1 Commercial; Submitted to: Greenwood

Common Council September 18, 2006, Prepared under the Direction of Clinton E. Ferguson, Director Planning, Zoning & Economic Development” are on file in the Office of the Clerk-Treasurer of the City of Greenwood for public inspection, and the Greenwood Common Council further directs the Clerk-Treasurer to keep said copies on file in her office.

Section 3. Any monies necessary for the provision of services from the City of Greenwood as described and itemized in the attached Plan shall be budgeted and appropriated from the applicable fund, pursuant to state law and the City's budget procedure.

Section 4. It is anticipated that this annexation will not result in the elimination of jobs for employees of other governmental entities, but in the event it does, then the Mayor of the City of Greenwood is hereby directed to assist such employees in obtaining new employment, but nothing herein shall require the City to hire any such employees.

Section 5. The sections, paragraphs, sentences, clauses, phrases and words of this Resolution are separable, and if any word, phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs and sections of this Resolution.

Section 6. This Resolution shall be in full force and effect from and after its passage and approval by the Mayor of the City of Greenwood.

Passed by the Common Council of the City of Greenwood, Indiana, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Ronald Bates, President  
Greenwood Common Council

FOR:

AGAINST:

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ATTEST:

\_\_\_\_\_  
Jeannine Myers, Clerk-Treasurer

The foregoing within and attached Resolution passed by the Common Council of the City of Greenwood, Indiana, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, is presented by me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_ O’Clock \_\_.M. to the Mayor of the City of Greenwood, Indiana.

\_\_\_\_\_  
Jeannine Myers, Clerk-Treasurer

The foregoing within and attached Resolution passed by the Common Council of the City of Greenwood, Indiana, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, is signed and approved by me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_ O’Clock \_\_.M.

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CHARLES E. HENDERSON, Mayor  
City of Greenwood, Indiana